

Serial No.: 09/539,405
Examiner: Kading, Joshua A.

REMARKS/ARGUMENTS

Claims 1 and 3-22 remain in this application. Claim 2 has been cancelled.

Claims 1 and 9-11 have been rejected under 35 USC 102 (b) as anticipated by the US patent to Cordell (5,367,520). Claims 1 and 10 have been amended, and it is respectfully submitted that claims 1 and 9-11 as amended are not anticipated by the Cordell reference.

Cordell does not teach of a "bus control module". The Examiner has called attention to the operation of crosspoint switch plane 93 of Cordell containing a contention resolution device (CRD). It is submitted that Cordell does not teach that the switch 93 is a bus control module. Applicant has amended independent claims 1 and 10 to emphasize the nature of his bus control module elements and that a feedback signal is generated based on cards on the bus controlled by the bus control module. This structure is not shown by Cordell.

Claims 1 and 10 recite that the feedback signal generated by a bus control module is provided to a lower level distribution module which receives the feedback signal and inserts feedback information for the lower level distribution module into the feedback signal. The Examiner states that path selection switches 92 perform the function and role of Applicant's lower level distribution module. However, path selection switches 92 do not insert a feedback signal, but merely switch connections between switch 93 and input buffer module 91. While information on this function is sparse in Cordell, it is addressed in connection with Figure 5 and in the claims of the patent, for example Cordell's claim 1, line 30-41.

In respect to claim 1, it is respectfully submitted that input buffer module 91 of Cordell is not a "a timing generator" as recited in claim 1. Applicant finds no description disclosing that Cordell's modules 91 contain any timing or clock generation.

For the reasons given above, it is submitted that claims 1 and 9-11 are not anticipated by the Cordell reference.

Claims 3, 5, 12, 14 and 16 have been rejected under 35 USC 103(a) as being unpatentable over Cordell. Regarding claims 3, 5, 12, and 14, the Examiner has based this rejection on the statement that "Cordell already discloses modules that perform the same functions". It is

Serial No.: 09/539,405
Examiner: Kading, Joshua A.

believed to have been demonstrated above that this is not the case. Moreover, with respect to claims 3, 5, 12, 14 and 16, and the recited elements concerning "an intermediate level distribution module" and "upper level distribution module", it is submitted that Applicant has utilized these elements to form a hierarchical architecture for exercising distribution and control over a system including many elements. This is not a function or problem addressed at all by Cordell, so it is not seen that anything in Cordell suggests this architecture. Accordingly, it is submitted that claims 3, 5, 12, 14 and 16 are not unpatentable over Cordell.

Aspects of cancelled claim 2 have been included in amended claims 1 and 10. Claim 2 was rejected as unpatentable over Cordell in view of Diaz et al. (US 5,526,349), the Examiner stating that it would be obvious to include a plurality of cards with the system of claim 1 for the purpose of connecting the switch to subscribers (Diaz). Applicant submits that any association of subscriber cards with the system of Cordell would presumably be with input buffer module 91, whereas the Examiner has identified the "bus control module" (with which the cards are associated) as crosspoint switch plane 93. Accordingly, it is submitted that the structure of claims 1 and 10, containing aspects of cancelled claim 2, is not suggested by Cordell and Diaz, and that claims 1 and 10 are not obvious in view of Cordell and Diaz et al.

Claims 4, 6-8, 13, 15, and 17-22 have been rejected under 35 USC 103(a) as unpatentable over Cordell in view of Lau et al. (US 6,009,468). As described above, in connection with amended claims 1 and 10, it is believed that there are several elements of Applicant's claims not shown by Cordell. Since these elements are not suggested by Lau et al. either, it is submitted that claims 4, 6-8, 13, 15, and 17-22 are patentable over Cordell in view of Lau et al.

Serial No.: 09/539,405
Examiner: Kading, Joshua A.

It is believed that the foregoing amendment places the Application in condition for allowance; therefore, Applicant respectfully requests withdrawal of the Examiner's rejection of claims 1 and 3-22, and allowance of same. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned to expeditiously resolve any outstanding issues.

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Respectfully submitted,


V. Lawrence Sewell
Reg. No. 22,753

Alcatel
Intellectual Property Department
3400 W. Plano Parkway, M/S LEGL2
Plano, TX 75075
Phone: (972) 519-3735
Fax: (972) 477-9328

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Page 8